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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12 ALL NIPPON AIRWAYS COMPANY, LTD.)

13 Plaintiff,)

14 vs.)

15 UNITED AIR LINES, INC.,)

16 Defendant.)

Case No. C07-03422 EDL
 Hon. Elizabeth D. Laporte

MOTION TO SHORTEN TIME
UNDER CIV. L.R. 6-3

17
 18 Defendant United Air Lines, Inc., ("United") hereby moves this Court for an order under
 19 Civ. L.R. 6-3 shortening the 35-day notice period under Civ. L.R. 7-2(a) as applied to United's
 20 Renewed Motion to Compel Discovery and for Additional Time to Depose Witnesses. United states
 21 the following in support of this motion:

22 1. The basis of this motion is fully set forth in the Declaration of Scott R. Torpey
 23 ("Torpey Decl."), attached hereto as **Exhibit A**, in accordance with Civ. L.R. 6-3(a). Attached
 24 hereto as **Exhibit B** is a proposed order in accordance with Civ. L.R. 6-3(a).

25 2. United's previously-filed Motion to Compel Discover and for Additional Time to
 26 Depose Witnesses was scheduled for hearing on January 30, 2008. The Court issued an order on
 27 January 22, 2008 denying the Motion without prejudice based upon a finding that United did not

1 demonstrate that it had met and conferred with opposing counsel prior to filing the motion. (Docket
2 No. 49).

3 3. In the Order, the Court instructed the parties to meet and confer regarding the issues
4 raised in United's Motion and indicated that if issues remained after the meet and confer process, the
5 Court would resolve those issues. The Court further indicated that it would entertain a motion to
6 shorten the 35-day hearing notice period if unresolved issues remained.

7 4. Subsequent to the Court's ruling, counsel for United conducted two face-to-face
8 conferences with counsel for Plaintiff All Nippon Airways Company, Ltd. These discussions, held
9 in San Francisco on January 24 and 25, 2008, led to the resolution of some, but not all, of the issues
10 raised in United's Motion to Compel. (Torpey Decl. ¶¶ 7, 8). Accordingly, United has filed a
11 Renewed Motion To Compel Discovery and for Additional Time to Depose Witnesses.

12 5. As explained in the accompanying Declaration of Scott R. Torpey, an expedited
13 hearing is necessary to ensure that United will have access to the discovery it seeks prior to
14 mediation, which is to occur no later than April, 2008.

15 6. Counsel for United sought concurrence in the relief requested in this motion to
16 shorten time, but concurrence was denied. (Torpey Decl. ¶ 12)

17 **WHEREFORE**, for the reasons stated above, as more fully explained in the Declaration of
18 Scott R. Torpey, United respectfully requests that the Court **GRANT** its Motion to Shorten Time
19 and set United's Renewed Motion to Compel Discovery and for Additional Time to Depose
20 Witnesses for hearing on **Tuesday, February 19, 2008 at 9:00 a.m.**

21
22 Dated: January, 30, 2008

23 s/Scott R. Torpey
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CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2008 I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Marshall S. Turner – mturner@condonlaw.com
Scott D. Cunningham – scunningham@condonlaw.com
Roderick D. Margo – rmargo@condonlaw.com
Frank Anthony Silane – fsilane@condonlaw.com
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Dated: January 30, 2008

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